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15 CA ADC § 8004.1

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Title 15. Crime Prevention and Corrections

Division 8. California Prison Industry Authority

Chapter 1. Rules and Regulations of California Prison Industry Authority

Article 3. CALPIA Inmate Work/Training and Education

15 CCR § 8004.1

§ 8004.1. CALPIA Inmate Worker Hiring Standards and Requirements.

(a) CALPIA shall fill vacant job/training positions based on the following standards:

- (1) Skill level evidenced by the inmate's technical expertise, ability, and knowledge.
- (2) Behavior and relationships with others evidenced by the inmate's ability to work with staff and other authority figures, work/training supervisors, and other inmates.
- (3) Attitude and adaptability evidenced by the inmate's willingness to learn, take directions, and orders.
- (4) Work/training habits evidenced by the inmate's punctuality, dependability, care of equipment, and safety practices.
- (5) Formal education and training evidenced by the inmate's preparation for the work/training assignment and the ability to read, write, and speak effectively.
- (6) Ethnic Balance. Ethnic balance is achieved by assigning identified ethnicities for CALPIA work/training position in proportion to those represented within the inmate yards at the institution.

(b) Inmates shall meet a minimum intake requirement of two (2) years and a maximum of five (5) years from their earliest possible release date (EPRD), on the date of application for all CALPIA assignments or apprenticeship/training positions.

(c) Inmates assigned from the following locations, may utilize an alternate intake requirement of a minimum of two (2) months and a maximum of 60 months from their earliest EPRD, on the date of application:

- (A) Reception Centers with a temporary or transient inmate population resulting in inmate worker unavailability.
- (B) Institutions with a Level 1 inmate population.

(d) Inmates shall meet the minimum qualifications to perform the essential job functions.

(e) Inmates with qualified learning disabilities under the Americans with Disabilities Act of 1990 (ADA), as defined in Section 8000, and who have complied with CCR, Title 15, Division 3, Section 3085, may be accommodated with an exemption to 8004.1(d) unless the accommodation would result in financial or administrative burden, or unsafe working conditions for CALPIA.

(f) Prior to utilizing any of the above alternate intake requirements, a written waiver of authorization shall be obtained annually from the CALPIA General Manager by the Warden at each institution/facility in coordination with the CALPIA Administrator/Lead Manager at each specific enterprise.

(g) Within two years of initial CALPIA assignment, CALPIA inmate workers shall complete a General Education Diploma (GED) or high school diploma, unless that is not feasible due to disabling conditions documented in the inmates C-File, in which case the inmate worker must be concurrently enrolled in classes to obtain a GED or high school diploma while in a work assignment with CALPIA. CALPIA inmate workers shall remain in their current skill level, as specified in Section 8006(d)(1), while completing a GED or high school diploma and shall not be allowed to promote to a higher pay skill level until this educational requirement is satisfied.

Note: Authority cited: Sections 2801 and 2808, Penal Code. Reference: Sections 2801 and 2805, Penal Code; Americans With Disabilities Act, Public Law 101-336, July 26, 1990, 104 Stat. 327; and Section 35.130, Title 28, Code of Federal Regulations.

HISTORY

1. New section filed 2-12-2013; operative 4-1-2013 (Register 2013, No. 7).
2. Editorial correction of subsection (d) (Register 2016, No. 17).
3. Amendment of subsections (d) and (e) filed 12-21-2017; operative 4-1-2018 (Register 2017, No. 51).
4. Amendment of subsection (d), repealer of subsection (e), subsection relettering and amendment of newly designated subsections (e) and (g) filed 1-28-2019; operative 4-1-2019 (Register 2019, No. 5).

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